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Attorney for Plaintiff

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

Dale Clements ALLEN,)	Case No. CV09-3417 SI
)	
Plaintiff,)	
vs.)	
)	
Hillary Rodham CLINTON, Secretary of State,)	
Michael CHERTOFF, Secretary for the)	
Department of Homeland Security,)	
Eric H. HOLDER, JR., United States)	
Attorney General,)	
)	
Defendants.)	
_____)	

**JOINT STIPULATION TO RESET HEARING DATE TO OCTOBER 30, 2009 AND
[PROPOSED] ORDER**

COME NOW, Dale Clements Allen, Plaintiff, by and through his attorney of record, and Defendants, by and through their attorney of record, hereby stipulate, subject to the approval of the Court, as follows:

1. A Complaint for Writ in the Nature of Mandamus and Declaratory Relief in the above-entitled case was filed on July 24, 2009 with the United States District Court for the Northern District.
2. On September 8, 2009, Defendants moved to dismiss the Complaint, setting a hearing date for October 23, 2009 at 9:00 a.m.

3. In order to allow Plaintiff another opportunity to timely oppose the motion, the parties hereby ask the Court to reset the hearing date to October 30, 2009 at 9:00 a.m.

IT IS SO STIPULATED.

Respectfully submitted,

IMMIGRATION PRACTICE GROUP, P.C.

DATED: OCTOBER 5, 2009

/Teresa Salazar-Cosmos/
TERESA SALAZAR COSMOS
Counsel for Plaintiff

DATED: OCTOBER 5, 2009

/Ila C. Deiss/
ILA C. DEISS
Assistant U.S. Attorney
Attorney for Defendants

ORDER

The hearing on Defendants' Motion to Dismiss is hereby reset to October 30, 2009 at 9:00 a.m.

IT IS SO ORDERED.

Dated: _____



SUSAN ILLSTON
U.S. District Court Judge